

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

ESTES INNOVATIVE AND WAREHOUSING,
A DIVISION OF ESTES EXPRESS LINES, INC.,

Plaintiff

V.

HOMETEX DESIGN, INC.,

Defendant

CIVIL ACTION
NO. 05-10036 NG

JUDGMENT

On March 1, 2005, the plaintiff, Estes Innovative and Warehousing, a Division of Estes Express Lines, Inc., applied for default judgment against the defendant, Hometex Design, Inc. Based on the application and the accompanying Affidavit of David S. Jones dated February 23, 2005, and other papers on file in this action, it appears that:

1. Hometex Design, Inc. has failed to appear in this action by timely pleading, responding to, or otherwise defending against the Complaint in this action after being properly served with it. Accordingly, default was entered against Hometex Design, Inc. under Rule 55(a) of the Federal Rules of Civil Procedure on March 7, 2005.

2. Hometex Design, Inc. is not a minor, an incompetent person, or a current member of the military service.

3. Hometex, Inc. is indebted to Estes Innovative and Warehousing, a Division of Estes Express Lines, Inc. for a sum certain, to wit: \$14, 424.41, based on unpaid invoices for interstate freight charges.

THEREFORE, judgment is entered under Federal Rules of Civil Procedure, Rule 55(b)(1), against Hometex Design, Inc. in the principal amount of \$14,424.41, together with prejudgment interest in the amount of \$1,298.16, and costs in the amount of \$213.65, for a total judgment of \$15,936.22. This judgment will bear interest at the judgment rate from the date of this judgment until paid.

Dated: March _____, 2005

Clerk, U.S. District Court
District of Massachusetts

By: _____
Deputy Clerk